

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Docket No.	A0312.70480US00
	First Named Inventor or Application Identifier	
	Robert A. Penchuk	
	Express Mail Label No.	EV 292 560 052 US
	Date of Deposit	August 27, 2003

<b>APPLICATION ELEMENTS</b> <i>See MPEP chapter 600 concerning utility patent application contents</i>	<b>ADDRESS TO:</b> <b>Mail Stop Patent Application</b> Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i>  2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.  3. <input checked="" type="checkbox"/> Specification [Total pages 9] 6 - pages description 1 - pages abstract 2 - pages claims                      6 - Total claims  4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total sheets 3] <input checked="" type="checkbox"/> Informal [Total drawings 1-7]  5. <input type="checkbox"/> Oath or Declaration [Total pages ] a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).  If 5b is checked the entire disclosure of prior applications, Serial No. _____  from which an oath or declaration is supplied, is considered as part of the disclosure of the accompanying application as is hereby incorporated by reference therein. The incorporation <u>can only</u> be relied upon when a portion has been inadvertently omitted from the submitted application parts.  6. <input checked="" type="checkbox"/> Application Data Sheet, See 37 CFR 1.76	7. <input type="checkbox"/> CD-ROM or CD-R, in duplicate, large table or Computer Program (Appendix)  8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. <input type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper (identical to computer copy) c. <input type="checkbox"/> Statement verifying identity of above copies  <b>ACCOMPANYING APPLICATION PARTS</b>  9. <input type="checkbox"/> Assignment Papers/cover sheet & documents(s) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <i>(when there is an assignee)</i> <input type="checkbox"/> Power of Attorney 11. <input type="checkbox"/> English Translation of Document <i>(if applicable)</i> 12. <input type="checkbox"/> Information Disclosure Statement PTO-1449 <input type="checkbox"/> Copies of IDS Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 16. <input checked="" type="checkbox"/> Request and Certification Under 35 U.S.C. §122(b)(2)(B)(ii) 17. <input type="checkbox"/> Other: _____ _____ _____

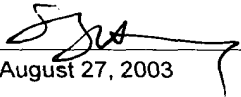
**18. NOTE TO PRACTITIONERS:** If a CONTINUING APPLICATION, supply the requisite priority or continuity information in (1) the body of the application, or in a preliminary amendment, and (2) in an Application Data Sheet under 37 CFR 1.76.

**19. CORRESPONDENCE ADDRESS**

*Correspondence address below*

**CUSTOMER NUMBER:**  
**23628**

**OR (do NOT use both)**

ATTORNEY'S NAME					
FIRM NAME					
ADDRESS					
CITY		STATE		ZIP	
COUNTRY		TELEPHONE		FAX	
<b>20. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED</b>					
NAME	Steven J. Henry, Reg. No. 27,900				
SIGNATURE					
DATE	August 27, 2003				

Inventor(s): Robert A. PENCHUK  
 Serial No: Not yet assigned  
 Confirmation No.: --  
 Filed: Herewith  
 For: MEMORY GAIN CELL

CHECK BOX, if applicable:

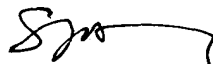
☐ DUPLICATE**Fee Calculation Sheet**

CLAIMS	FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
	TOTAL CLAIMS (37 CFR 1.16(c))	6-20=	0x	\$ 18.00	= \$ 0.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	3-3=	0 x	\$ 84.00	= \$ 0.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) +			\$	= \$
				BASIC FEE (37 CFR 1.16(a))	\$ 750.00
	Fee for Petition for Extension of Time (if any)				\$ 0.00
	Other Fees (if any)				\$ 0.00
	Total of above Calculations =				\$ 750.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28)				\$ 0.00
	Assignment Recordation Fee (if any)				\$ 0.00
	TOTAL =				\$ 750.00

1. A check in the amount of \$ 750.00 is enclosed.

**General Authorization to Charge Deposit Account and General Request for Extension of Time**

2. a. ☒ If the filing of any paper in this application necessitates the payment of a fee under 37 CFR §§ ☒ 1.16 or ☒ 1.17, and the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.
- b. ☐ The applicant hereby revokes any prior authorization to charge a fee due under 37 CFR §§ ☐ 1.16 ☐ 1.17 or ☐ 1.18.
3. If the filing of any paper in this application necessitates an extension of time under 37 CFR §1.136(a), the applicant hereby requests such extension of time. If the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.

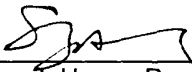
  
 Steven J. Henry, Reg. No. 27,900  
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 600 Atlantic Avenue  
 Boston, MA 02210-2211  
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Docket No. A0312.70480US00  
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<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(ii)</b>	<i>First Named Inventor</i>		<b>Robert A. PENCHUK</b>
	<i>Title</i>	<b>MEMORY GAIN CELL</b>	
	Docket No.		<b>A0312.70480US00</b>

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

8/27/03  
Date

  
Steven J. Henry, Reg No. 27,900

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).